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August 18, 2005

BY FAX

Hon. Laura Taylor Swain
United States District Judge
United States Courthouse
40 Centre Street, Room 1205
New York, New York 10007-1581

MEMO ENDORSED

IT IS ORDERED that counsel to whom this Memo Endorsement is sent is responsible for faxing or otherwise delivering promptly a copy to all counsel and unrepresented parties and filing a certificate of such service within 5 days from the date hereof. Do not fax such certification to Chambers.

Re: **Securities and Exchange Commission v. Amerindo Investment Advisors, Inc., et. al. (05 Cr. 05231)**

Dear Judge Swain:

(CIV.)

I am writing on behalf of Defendant Gary Tanaka to respectfully request that the time by which Defendant Tanaka must respond to the Complaint be extended until September 19, 2005. Plaintiff, the Securities and Exchange Commission, consents to this request.

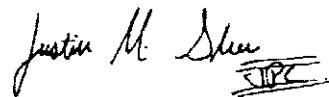
Jeffrey Hoffman, counsel to Defendant Alberto Vilar, has informed me that Mr. Vilar joins in the request for a 30-day extension.

Defendants Tanaka and Vilar were originally required to respond to the Complaint by July 11, 2005. Upon stipulations by all parties, the Court extended the time for all Defendants to respond to the Complaint until August 19, 2005. There have been no other requests for extensions.

Copies mailed Attn: Tanaka 8/21/05
Copies mailed Attn: Tanaka 8/21/05
Chambers of Judge Swain

The initial conference in this matter is currently scheduled for September 16, 2005 at 2:30 p.m. I respectfully request that the initial conference be rescheduled for October 7, 2005 at 3:00 p.m.

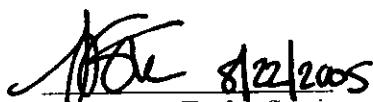
Respectfully submitted,



Justin M. Sher
212.488.1234

cc: Mark D. Salzberg, Esq.
Eugene R. Licker, Esq.
Jeffrey Hoffman, Esq.

So Ordered:



8/22/2005
Hon. Laura Taylor Swain
U.S. District Judge